

Senegal

Incidence and Nature of Child Labor

An estimated 32.5 percent of children ages 5 to 14 were counted as working in Senegal in 2000. Approximately 39.2 percent of all boys 5 to 14 were working compared to 25.9 percent of girls in the same age group.⁴¹⁷⁰ Children are exploited in activities that the Government of Senegal has identified as the worst forms of child labor. Among them are begging, forced labor, prostitution, drug trafficking and illegal activities, recycling of waste and garbage, and slaughtering of animals.⁴¹⁷¹ Children can be found working on rural family farms and in animal husbandry, fishing, rock quarrying, and gold and salt mining.⁴¹⁷² Children also work in domestic service, transportation, construction, manufacturing, and automobile repair shops, restaurants, and hotels.⁴¹⁷³ Child labor is one of many problems associated with poverty. In 1995, the most recent year for which data are available, 22.3 percent of the population in Senegal were living on less than USD 1 a day.⁴¹⁷⁴

Senegal is a source, transit, and destination country for child trafficking.⁴¹⁷⁵ Boys are trafficked within and to Senegal from The Gambia, Guinea-Bissau, Mali, and Guinea to participate in exploitative begging for Koranic teachers, considered by the Government of Senegal to be a worst form of child labor.⁴¹⁷⁶ Official statistics put the total number of these boys, known as *talibés*, at over 100,000. They are vulnerable to sexual and other exploitation.⁴¹⁷⁷ Some Koranic teachers bring children from rural areas to Senegal's major cities, holding them under conditions of involuntary servitude.⁴¹⁷⁸ *Talibés* have revealed to NGOs and shelters that they are often beaten and shackled if they do not bring their Koranic teachers a minimum

⁴¹⁷⁰ UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*, October 7, 2005. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms, such as the use of children in the illegal drug trade, prostitution, pornography, and trafficking. As a result, statistics and information on children's work in general are reported in this section. Such statistics and information may or may not include the worst forms of child labor. For more information on the definition of working children and other indicators used in this report, please see the "Data Sources and Definitions" section of this report.

⁴¹⁷¹ Government of Senegal, *Arrêté Ministériel n° 3749 MFPTÉOP-DTSS en date due 6 juin 2003, fixant et interdisant les pires formes du travail des enfants*, (June 6, 2003), Art. 2; available from

<http://www.ilo.org/dyn/natlex/docs/SERIAL/64610/64951/F2020269921/SEN64610.pdf>.

⁴¹⁷² U.S. Department of State, *Country Reports on Human Rights Practices- 2004: Senegal*, Washington, D.C., February 28, 2005, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2004/41623.htm>. See also Djiga Thiao et. al., *Etude des Pires Formes de Travail des Enfants dans le Secteur de la Pêche Artisanale Maritime Senegalaise: Rapport final*, Dakar, December, 2002. See also Serigne Mor Mbaye et. al., *Le Travail des Enfants dans l'Orpaillage, les Carrières et l'Exploitation du Sel*, Dakar, March, 2003. See also U.S. Embassy - Dakar, *reporting*, August 23, 2005.

⁴¹⁷³ U.S. Department of State, *Country Reports- 2004: Senegal*, Section 6d. See also ILO-IPEC, *Support for the implementation of the Senegal Time-Bound Programme*, project document, Geneva, September 2003, v. See also U.S. Embassy - Dakar, *reporting*, August 23, 2005.

⁴¹⁷⁴ World Bank, *World Development Indicators 2005* [CD-ROM], Washington, D.C., 2005.

⁴¹⁷⁵ U.S. Department of State, *Trafficking in Persons Report- 2005: Senegal*, Washington, D.C., June 3, 2005; available from <http://www.state.gov/g/tip/rls/tiprpt/2005/46616.htm>.

⁴¹⁷⁶ *Ibid.*

⁴¹⁷⁷ ECPAT International, *Senegal*, in ECPAT International, [database online] n.d. [cited June 15, 2005]; available from http://www.ecpat.net/eng/Ecpat_inter/projects/monitoring/online_database/countries.asp?arrCountryID=152&CountryProfile=facts,affiliation,humanrights&CSEC=Overview,Prostitution,Pornography,trafficking&Implement=Coordination_cooperation,Prevention,Protection,Recovery,ChildParticipation&Nationalplans=National_plans_of_action&orgWorkCSEC=orgWorkCSEC&DisplayBy=optDisplayCountry. See also U.S. Department of State, *Country Reports- 2004: Senegal*, Section 6d.

⁴¹⁷⁸ U.S. Department of State, *Country Reports- 2004: Senegal*, Section 6d.

amount of money at the end of each day. In fact, in 2005, two Koranic teachers were convicted and sentenced to prison for such abuse.⁴¹⁷⁹

There are reports of young girls being trafficked from rural to urban areas for forced domestic service. Senegalese girls are also trafficked both internally and to other countries for exploitative labor and commercial sexual exploitation.⁴¹⁸⁰ Child prostitution occurs on beaches and in bars, hotels, and other tourist areas.⁴¹⁸¹

Articles 21 and 22 of the Constitution adopted in January 2001 guarantee access to education for all children.⁴¹⁸² Education is compulsory and free up to the age of 16. However, due to limited resources and low demand for secular education in areas where Islamic education is more prevalent, the law is not fully enforced.⁴¹⁸³ In 2002, the gross primary enrollment rate was 80 percent, and the net primary enrollment rate was 69 percent.⁴¹⁸⁴ Gross and net enrolment ratios are based on the number of students formally registered in primary school and therefore do not necessarily reflect actual school attendance. In 2000, 41.2 percent of children ages 5 to 14 years were attending school. Primary school attendance statistics are not available for Senegal.⁴¹⁸⁵ As of 2001, 80 percent of children who started primary school were likely to reach grade 5.⁴¹⁸⁶

The Ministry of Labor has indicated that the public school system is unable to cope with the number of children that must enroll each year. As a result, many school-aged children seek to obtain education and training through more informal means. A large number apprentice themselves to a shop, where they receive no wages. One government official estimated there are 100,000 children apprenticed in Dakar. The ANSD reports that as of 2001, 32.5 percent of children aged 10-14 had begun their professional lives.⁴¹⁸⁷

Child Labor Laws and Enforcement

The Constitution protects children from economic exploitation and from involvement in hazardous work.⁴¹⁸⁸ The minimum age for employment, including apprenticeships, is 15 years.⁴¹⁸⁹ With permission from the Minister of Labor, children 12 years and older may perform light work within a family setting,

⁴¹⁷⁹ U.S. Embassy – Dakar Official, email correspondence to USDOL Official, August 11, 2006.

⁴¹⁸⁰ U.S. Department of State, *Trafficking in Persons Report- 2005: Senegal*. See also U.S. Department of State, *Country Reports- 2004: Senegal*, Section 5.

⁴¹⁸¹ ECPAT International, *Senegal*.

⁴¹⁸² Government of Senegal, *Constitution*, (January 7, 2001); available from <http://www.primature.sn/textes/constitution.pdf>.

⁴¹⁸³ The government has been increasing the number of classrooms and encouraging children to stay in school. The national budget for fiscal year 2005 allocates 40% to education. See U.S. Embassy- Dakar official, email communication to USDOL official, May 31, 2005. See also U.S. Department of State, *Country Reports- 2004: Senegal*, Section 5. Reports indicate that the compulsory schooling law applies only in areas where public schools are available. See ILO-IPEC, *Support to the Time Bound Programme Elimination of the Worst Forms of Child Labour, TPR*, technical progress report, Geneva, March 11, 2005, 2.

⁴¹⁸⁴ UNESCO Institute for Statistics, <http://stats.uis.unesco.org/TableView/tableView.aspx?ReportId=51> (Gross and Net Enrolment Ratios, Primary; accessed December 2005).

⁴¹⁸⁵ This statistic is not available from the data sources used in this report. Please see the “Data Sources and Definitions” section for information about sources used.

⁴¹⁸⁶ UNESCO Institute for Statistics, <http://stats.uis.unesco.org/TableView/tableView.aspx?ReportId=55> (School life expectancy, % of repeaters, survival rates; accessed December 2005).

⁴¹⁸⁷ U.S. Embassy – Dakar Official, email correspondence to USDOL Official, August 11, 2006.

⁴¹⁸⁸ U.S. Department of State, *Country Reports- 2004: Senegal*, Section 6d. See also U.S. Department of State official, electronic communication regarding Constitution of Senegal to USDOL official, August 18, 2003. See also *Constitution*.

⁴¹⁸⁹ Government of Senegal, *Code du Travail*, Loi No. 97-17, (December 1, 1997), Article L. 145; available from <http://www.gouv.sn/textes/TRAVAIL.cfm>. See also Government of Senegal, *Arrêté Ministériel n° 3748 MFPTEOP-DTSS en date due 6 juin 2003, relatif au travail des enfants*, (June 6, 2003), Article premier; available from <http://www.ilo.org/dyn/natlex/docs/SERIAL/64609/64950/F1520394879/SEN64609.pdf>.

provided that it does not jeopardize their health, morals, or schooling.⁴¹⁹⁰ Children are prohibited from working at night, and cannot work more than 8 hours a day.⁴¹⁹¹ Activities considered to be worst forms of child labor are prohibited by law,⁴¹⁹² and children under 18 years are prohibited from engaging in hazardous work.⁴¹⁹³ The government has identified “extremely hard labor,” including carrying heavy loads, gold mining, and work underwater; and “very dangerous work,” including work with toxic chemicals, as worst forms of child labor.⁴¹⁹⁴ The law also identifies businesses in which children under 18 years are forbidden from working.⁴¹⁹⁵ In addition, children under 16 are prohibited from working on fishing vessels.⁴¹⁹⁶ The minimum age for voluntary recruitment into the military is 18 years, and 20 years for compulsory recruitment.⁴¹⁹⁷

Senegal has a law prohibiting the worst forms of child labor⁴¹⁹⁸ and other statutes under which the worst forms can also be prosecuted. Prostitution is illegal for youths under the age of 21, as specified by Article 327 of the Penal Code.⁴¹⁹⁹ Procuring a minor for the purpose of prostitution is punishable by imprisonment for 2 to 5 years and a fine of 300,000 to 4,000,000 CFA francs (USD 556.27 to USD 7,416.95).⁴²⁰⁰ The Labor Code prohibits forced and compulsory labor.⁴²⁰¹ In April 2005, the Senegalese National Assembly adopted a law against human trafficking, which also prohibits exploitative begging and trafficking for commercial sexual exploitation.⁴²⁰² Since 1999, the Government of Senegal has submitted to the ILO a list or an equivalent document identifying the types of work that it has determined are harmful to the health, safety or morals of children under Convention 182 or Convention 138.⁴²⁰³

The Ministry of Labor and its Social Security Inspectors are responsible for investigating child labor cases and enforcing child labor laws. However, due to a lack of resources, inspectors do not initiate workplace visits and instead depend on violations to be reported. According to the U.S. Department of State, the

⁴¹⁹⁰ *Arrêté Ministériel n° 3748 MFPTEOP-DTSS*, Article premier. See also Government of Senegal, *Arrêté Ministériel n° 3750 MFPTEOP-DTSS en date due 6 juin 2003, fixant la nature des travaux dangereux interdits aux enfants et jeunes gens*, (June 6, 2003), Article premier; available from <http://www.ilo.org/dyn/natlex/docs/SERIAL/64611/64953/F1229124862/SEN64611.pdf>.

⁴¹⁹¹ *Arrêté Ministériel n° 3748 MFPTEOP-DTSS*, Art. 3.

⁴¹⁹² *Arrêté Ministériel n° 3749 MFPTEOP-DTSS*, Art. 3.

⁴¹⁹³ *Arrêté Ministériel n° 3750 MFPTEOP-DTSS*.

⁴¹⁹⁴ *Arrêté Ministériel n° 3749 MFPTEOP-DTSS*, Art. 2.

⁴¹⁹⁵ Government of Senegal, *Arrêté Ministériel n° 3751 MFPTEOP-DTSS en date due 6 juin 2003, fixant les categories d'entreprises et travaux interdits aux enfants et jeunes gens ainsi que l'âge limite auquel s'applique l'interdiction*, (June 6, 2003); available from <http://www.ilo.org/dyn/natlex/docs/SERIAL/64612/64952/F364251671/SEN64612.pdf>.

⁴¹⁹⁶ U.S. Embassy- Dakar, *reporting*, August 7, 2003. See also *Arrêté Ministériel n° 3750 MFPTEOP-DTSS*, Art. 10.

⁴¹⁹⁷ Coalition to Stop the Use of Child Soldiers, *Child Soldiers Global Report 2004*, November 17, 2004; available from http://www.child-soldiers.org/document_get.php?id=793.

⁴¹⁹⁸ *Arrêté Ministériel n° 3749 MFPTEOP-DTSS*, Article 3.

⁴¹⁹⁹ *Criminal Code of Senegal*, in Interpol, *Legislation of Interpol Member States on Sexual Offenses against Children: Senegal*, [database online] [cited June 16, 2005]; available from <http://www.interpol.int/Public/Children/SexualAbuse/NationalLaws/csaSenegal.asp>.

⁴²⁰⁰ Government of Senegal, *Criminal Code, Section V: Offenses Against Public Morals*, as cited in The Protection Project Legal Library, [database online], Articles 323, 324; available from <http://209.190.246.239/protectionproject/statutesPDF/Senegal.pdf>. For currency conversion see FX Converter, [online] [cited June 28, 2005]; available from <http://www.oanda.com/convert/classic>.

⁴²⁰¹ *Code du Travail*, Article L. 4.

⁴²⁰² U.S. Embassy- Dakar official, email communication, May 31, 2005. Prior to the passage of this law, in 2004, 72 child prostitutes were arrested, and 54 pimps were convicted and given prison sentences of up to ten years. See U.S. Department of State, *Trafficking in Persons Report- 2005: Senegal*.

⁴²⁰³ ILO-IPEC official, email communication to USDOL official, November 14, 2005.

Ministry of Labor monitors and enforces minimum age laws only in the formal sector, including in state-owned corporations, large private enterprises, and cooperatives.⁴²⁰⁴

There is a consensus among many NGOs, the media, and even some government officials that the government has the capacity to significantly reduce child labor, particularly begging. While the 2005 anti-trafficking law forbids exploitative begging, no one had been prosecuted under its provisions by the end of the year. However, according to the Department of State, the government's program to modernize Koranic schools offers promise in regard to addressing this issue.⁴²⁰⁵

Current Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Senegal is participating in a USD 2 million, USDOL-funded, ILO-IPEC Timebound Program focused on addressing exploitative child labor in agriculture, fishing, begging, and domestic service.⁴²⁰⁶ The

government also participates in an ILO-IPEC project, funded by France, to combat child labor in Francophone Africa.⁴²⁰⁷

The Family Ministry, in cooperation with the Government of Italy and UNICEF, has a program to withdraw children from the worst forms of child labor, including begging, domestic work, and sexual exploitation.⁴²⁰⁸

Selected Child Labor Measures Adopted by Governments		
Ratified Convention 138	12/15/1999	✓
Ratified Convention 182	6/1/2000	✓
ILO-IPEC Member		✓
National Plan for Children		
National Child Labor Action Plan		
Sector Action Plan (Commercial Sexual Exploitation)		✓

The Family Ministry has also been active in promoting birth registration through awareness campaigns and registration drives. Parents often fail to register their child's birth and the result is that their child has no right to education or health care. Many such children find themselves forced to work in the informal sector.⁴²⁰⁹

The government also collaborates with UNICEF and NGOs to hold seminars aimed at preventing young girls from entering prostitution.⁴²¹⁰ UNICEF also works to increase enrollment in basic education, particularly for girls, and operates a school-feeding program in the Casamance region of Senegal.⁴²¹¹

⁴²⁰⁴ U.S. Department of State, *Country Reports- 2004: Senegal*, Section 6d. Labor and Social Security inspectors can require a medical exam to ensure that work does not exceed a child's capabilities. See *Code du Travail*, Articles L. 141, L. 146. See also *Arrêté Ministériel n° 3748 MFPTEOP-DTSS*, Art. 14. See also *Arrêté Ministériel n° 3749 MFPTEOP-DTSS*, Art. 6. See also *Arrêté Ministériel n° 3750 MFPTEOP-DTSS*, Art. 27.

⁴²⁰⁵ Ibid.

⁴²⁰⁶ The 3-year program was funded in 2003. See International Child Labor Program U.S. Department of Labor, "Support for the Implementation of the Senegal Time-Bound Program, project summary."

⁴²⁰⁷ The countries participating in this project include Benin, Burkina Faso, Madagascar, Mali, Morocco, Niger, Senegal, and Togo. See ILO- IPEC official, email communication, November 8, 2005.

⁴²⁰⁸ The 4-year program was launched in 2002. See ILO-IPEC, *Senegal Time-Bound, project document*, 24.

⁴²⁰⁹ U.S. Embassy – Dakar Official, email correspondence to USDOL Official, August 11, 2006.

⁴²¹⁰ U.S. Department of State, *Trafficking in Persons Report- 2005: Senegal*.

⁴²¹¹ UNICEF, *At a glance: Senegal*, in UNICEF, [online] n.d. [cited June 20, 2005]; available from <http://www.unicef.org/infobycountry/senegal.html>.

Since 2000, the government has been implementing its Ten-Year Education and Training Program,⁴²¹² which aims to achieve universal enrollment in primary education by 2010.⁴²¹³ The government encourages conventional as well as non-conventional modes of education, including community-based and Koranic schools.⁴²¹⁴ To reduce the incidence of exploitative begging, the Family Ministry has developed a new program to help support 48 Koranic schools whose teachers do not force their students into exploitative begging.⁴²¹⁵ The Government of Senegal also has established a program to provide education and social services to 11,000 at-risk children.⁴²¹⁶

The Government of Senegal's Family Ministry operates the "Ginddi Center" in Dakar to receive and care for street children, including trafficking victims. Pursuant to Senegal's 2004 anti-trafficking accord with Mali, trafficked Malian children are kept at the Ginddi Center prior to repatriation.⁴²¹⁷ Children from The Gambia, Guinea-Bissau, and Guinea also receive assistance.⁴²¹⁸ The Center operates a 24-hour toll-free child protection hotline.⁴²¹⁹

In March 2005, the Interior Ministry's new Special Commissariat began to combat sex tourism and child prostitution in Senegal's urban centers.⁴²²⁰ The commissariat was not operational at year's end, however.⁴²²¹ The government has also established regional committees and an Inter-Ministerial committee to coordinate efforts to combat child labor.⁴²²² The Inter-Ministerial committee has drafted a national action plan for combating child labor, which must now be approved by the government.⁴²²³

⁴²¹² Government of Senegal, *Synthèse et Réalisations du Gouvernement--Ministère de l'Éducation Avril 2000 - Décembre 2001*, [previously online] [cited August 14, 2003]; available from <http://www.primature.sn/ministeres/meduc/bilan02.html> [hard copy on file]. See also Government of Senegal, *Senegal: Enhanced Structural Adjustment Facility Economic and Financial Policy Framework Paper: 1999-2001*, prepared in consultation with the International Monetary Fund and World Bank, Dakar, June 4, 1999, Section VI.A; available from <http://www.imf.org/external/np/pfp/1999/senegal/index.htm>.

⁴²¹³ Government of Senegal, *Senegal: Enhanced Structural Adjustment Facility*. Due to a delay in beginning implementation of the plan, the end year was updated from 2008 to 2010. See U.S. Department of State official, electronic communication regarding Constitution of Senegal, August 18, 2003.

⁴²¹⁴ UNICEF, *At a glance: Senegal*.

⁴²¹⁵ U.S. Embassy- Dakar official, email communication, May 31, 2005.

⁴²¹⁶ U.S. Embassy - Dakar, *reporting*, August 23, 2005.

⁴²¹⁷ At the Ginddi Center children receive educational, medical, nutritional and other assistance. See U.S. Embassy- Dakar official, email communication, May 31, 2005.

⁴²¹⁸ U.S. Embassy - Dakar, *reporting*, August 23, 2005.

⁴²¹⁹ U.S. Department of State, *Trafficking in Persons Report- 2005: Senegal*.

⁴²²⁰ *Ibid.*

⁴²²¹ U.S. Embassy - Dakar Official, email correspondence to USDOL Official, August 11, 2006.

⁴²²² ILO, *NATLEX National Labour Law Database*, [cited June 28, 2005], Arrêté n° 0004/GR.K du 24 janvier 2005, Arrêté n° 00004/GRT/AD du 7 janvier 2005, Arrêté n° 086 du 13 décembre 2004, Arrêté n° 00217/GRSI du 3 décembre 2004, Arrêté n° 060 du 2 décembre 2004; available from http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_country=SEN&p_classification=04&p_origin=COUNTRY.

⁴²²³ U.S. Embassy - Dakar Official, email correspondence to USDOL Official, August 11, 2006.